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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION

11 BLAIR CHRISTOPHER HANLOH,

12 Petitioner,

13 v.

14 PEOPLE OF THE STATE OF
15 CALIFORNIA,

16 Respondent.
17

No. SA CV 17-00113-JLS (DFM)

ORDER DENYING A
CERTIFICATE OF
APPEALABILITY

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19 Rule 11 of the Rules Governing Section 2254 Cases in the United States
20 District Courts provides as follows:

21 (a) Certificate of Appealability. The district court must issue or
22 deny a certificate of appealability when it enters a final order adverse
23 to the applicant. Before entering the final order, the court may direct
24 the parties to submit arguments on whether a certificate should
25 issue. If the court issues a certificate, the court must state the specific
26 issue or issues that satisfy the showing required by 28 U.S.C. §
27 2253(c)(2). If the court denies a certificate, the parties may not
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1 appeal the denial but may seek a certificate from the court of appeals
2 under Federal Rule of Appellate Procedure 22. A motion to
3 reconsider a denial does not extend the time to appeal.


4 (b) Time to Appeal. Federal Rule of Appellate Procedure 4(a)
5 governs the time to appeal an order entered under these rules. A
6 timely notice of appeal must be filed even if the district court issues
7 a certificate of appealability.

8 Under 28 U.S.C. § 2253(c)(2), a Certificate of Appealability may issue “only if
9 the applicant has made a substantial showing of the denial of a constitutional
10 right.” The Supreme Court has held that this standard means a showing that
11 “reasonable jurists could debate whether (or, for that matter, agree that) the
12 petition should have been resolved in a different manner or that the issues
13 presented were “adequate to deserve encouragement to proceed further.””
14 Slack v. McDaniel, 529 U.S. 473, 483-84 (2000) (citation omitted).

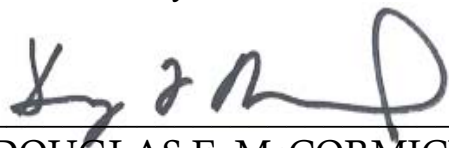
15 Here, Petitioner has not made the requisite showing with respect to
16 whether the Court has jurisdiction over the Petition or the merits of any of the
17 claims in it.

18 Accordingly, a Certificate of Appealability is denied.

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20 Dated: April 28, 2017

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22 JOSEPHINE L. STATON
23 United States District Judge

24 Presented by:

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26 DOUGLAS F. McCORMICK
27 United States Magistrate Judge
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